



Ernie Fletcher
Governor

Lajuana S. Wilcher, Secretary
Environmental and Public
Protection Cabinet

Christopher L. Lilly
Commissioner
Department of Public Protection

Mark S. Smith
President
Mallard Point Disposal Systems, Inc.
118 S. Broadway
Georgetown, KY 40324

Commonwealth of Kentucky
Public Service Commission
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Mark David Goss
Chairman

Teresa J. Hill
Vice Chairman

September 13, 2006

RE: Case No. 2006-00331

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/jc
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF MALLARD POINT)
DISPOSAL SYSTEMS, INC. TO) CASE NO. 2006-00331
REVISE NON-RECURRING CHARGES)

O R D E R

On June 30, 2006, Mallard Point Disposal Systems, Inc. ("Mallard Point") tendered its application to increase certain non-recurring charges. On July 11, 2006, the Executive Director of the Commission notified Mallard Point by letter that its application was rejected for certain filing deficiencies. On July 17, 2006, the Attorney General of the Commonwealth of Kentucky ("AG") filed a Motion to Intervene With Contingent Motion for Written Comments. On July 21, 2006, Mallard Point tendered its response to cure the deficiencies. The Commission entered an Order on July 31, 2006, finding that Mallard Point's application remained rejected for filing due to non-compliance with the notice provisions found in 807 KAR 5:001, Section 8, and KRS 278.185.

We find that Mallard Point's application continues to be deficient and will be removed from the Commission's docket after 10 days from the date of this Order if the deficiency is not cured or if Mallard Point fails to notify the Commission in writing of its specific plans to cure the deficiency. We further find that removal of this application from the docket will render the AG's outstanding motions moot.

IT IS THEREFORE ORDERED that:

1. Mallard Point shall cure the deficiency within 10 days of the date of this Order or shall notify the Commission in writing within 10 days of the date of this Order of its specific plans to cure the deficiency.

2. If Mallard Point fails to cure the deficiency or fails to notify the Commission of its specific plans to cure the deficiency within the allotted period, the application shall be removed from the Commission's docket without further Order of the Commission, and the AG's outstanding motions shall be considered moot.

Done at Frankfort, Kentucky, this 13th day of September, 2006.

By the Commission

ATTEST:



Executive Director

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SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

*Mark Smith
Mallard Point Disposal
118 S. Broadway
Georgetown KY 40324*

4a. Article Number
7005 1820 0006 1154 7755

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

7. Date of Delivery *9/14/06*

5. Signature (Addressee)
[Handwritten Signature]

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

06-331 JDC 9/13/06

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